

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOE ROBERT PATRON,
Petitioner,

VS.

NATHANIEL QUARTERMAN, Director,
T.D.C.J., Correctional
Institutions DIV.,
Respondent.

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CIVIL ACTION NO. 4:09-CV-082-Y

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Joe Robert Patron for a writ of audita querela under the All Writs Act, 28 U.S.C. § 1651, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on March 11, 2009; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on March 30, 2009.

The Court, after **de novo** review, concludes that Petitioner's objections must be overruled, and that the petition for writ of audita querela under 28 U.S.C. § 1651 should be dismissed for lack of jurisdiction, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions, and recommendation of the magistrate judge are ADOPTED.

The petition for writ of audita querela under 28 U.S.C. § 1651 is DISMISSED for lack of jurisdiction.

SIGNED April 2, 2009.

Terry R. Means
TERRY R. MEANS
UNITED STATES DISTRICT JUDGE